

THE LINDEN ROSELLE SEWERAGE AUTHORITY

The minutes of the regular meeting held on Tuesday, December 19, 2017 at 12:00 P.M. in the office of the Linden Roselle Sewerage Authority.

Chairman Vircik announced that the Public Notice of time and date of the Public Meeting has been duly executed in accordance with the Open Public Meeting Act, P.L., 1975, Ch. 231, notification being mailed 12/29/16 to the Local Source, Star Ledger, Home News Tribune, and to the municipal clerks of Linden and Roselle for posting in a public place.

Present: George Vircik, Chairman; Robert Sadowski, Vice-Chairman; Edward Mikolajczyk, Treasurer; Emerito Ruiz, Alternate Member;

Late: Reginald Atkins, Alternate Member; Jamel Holley, Member;

Attending: Gary G. Fare, Executive Director; David G. Brown II, Assistant Executive Director; Richard Rudin, Board Attorney; Margaret Miller, Labor Attorney; Tom Laustsen, CDM Smith Co.;

Chairman appointed Mr. Ruiz as a voting Member for this meeting until Mr. Atkins arrives.

MOTION: Upon motion of Mr. Sadowski, and seconded by Mr. Ruiz, the Board unanimously approved the Agenda set forth below.

MOTION: Upon motion of Mr. Sadowski, and seconded by Mr. Ruiz, the Board unanimously approved the minutes of the November 21, 2017 Executive Session.

MOTION: Upon motion of Mr. Sadowski, and seconded by Mr. Ruiz, the Board unanimously approved the minutes of the November 21, 2017 Regular Board Monthly Meeting.

MOTION: Upon motion of Mr. Sadowski, and seconded by Mr. Ruiz, the Board unanimously accepted Treasury Report as read.

BUSINESS AGENDA

Adoption of 2018 Authority Budget

The budget was presented and approved at the October meeting. It was sent to the Division of Local Government Services and has been approved. The Executive Director asked for adoption of the 2018 Authority Budget by roll call approval as per Resolution #51-17.

RECORDED VOTE:	Mr. Vircik -	Yes;	Mr. Ruiz -	Yes;
	Mr. Sadowski -	Yes;	Mr. Holley -	Absent;
	Mr. Mikolajczyk -	Yes;	Mr. Atkins -	Absent;

LRSA Proposed Meeting Dates for 2018

The proposed monthly Board Meeting dates for 2018 to be held at 12:00 Noon were presented and approved; also proposed monthly Personnel Committee Meeting dates to be held at 9:30 AM were presented and approved.

BUSINESS AGENDA (continued)

MOTION: Upon motion of Mr. Mikolajczyk, seconded by Mr. Ruiz, the Board unanimously approved the calendar of the Board meeting dates for 2018 to be held at 12 Noon, however, the November and December meeting will be held on Tuesdays instead of Wednesdays. Also, approved the calendar of the Personnel Committee meeting dates for 2018 to be held at 9:30 AM.

Appointment of Affirmative Action Officer

A Public Agency Compliance Officer (PACO) is required to be appointed annually. The Executive Director is recommending that Mary Richers be appointed to this position for 2018.

MOTION: Upon motion of Mr. Sadowski, seconded by Mr. Ruiz, the Board unanimously approved Resolution appointing Mary Richers as the Public Agency Compliance Officer for 2018. (Resolution #52-17 attached)

Mr. Atkins arrived at 12:05 PM and became a voting member at this time.

Acceptance of Plant Inspection Report

The Executive Director reported that as per the Trust Agreement, the Authority is required to have the plant inspected annually by Authority engineers. In summary, the report indicates favorable reports on the plant performance, pretreatment, maintenance and overall housekeeping. CDM Smith has commended the Staff for addressing prior year recommendations. The plant performed extremely well in meeting compliance during this report period of October 2016 to September 2017. Authority experienced an increased influent BOD 9% and TSS 4% loadings compared to last year. The report notes and commends the Operations and Maintenance Departments for their conscientious effort in attending to plant equipment up keep and grounds keeping. The report cited the importance of continuing to address building restoration. Some areas need immediate attention, such as roof, coping, etc. This will be targeted for 2018 as a goal.

The following goals were established and were accomplished in 2017: 1) Restoration of primary Tank Sludge Collection System; 2) Convert some Potable Water to HPEW for plant usage (goal is to reduce expenditures for water); 3) Restoration of the Main St. Pump Station.

The Authority's 2018 goals are: 1) Complete another Building restoration Phase V; 2) New fence around the plant; 3) Any other project(s) the new Management Staff may recommend.

The Executive Director stated that the general conclusion of the inspection report demonstrates the Authority's commitment to the maintenance, proper operation and upkeep of the infrastructure of the facility. Therefore, the Executive Director and Staff are recommending that the Board accept the report.

The Executive Director further stated for the record that this Authority has a \$3.5 mill surplus, \$500,000 in our insurance fund for deductible and \$400,000 for Chapter 88. Furthermore, he stated that the Authority is being left in very, very good hands. Also, as the Executive Director continuously stated that "if the Authority will go for any heavy borrowing before 2020 it will impact residents of the service area with a substantial rate increase". There is enough money in the R&R to support any small projects.

MOTION: Upon motion of Mr. Sadowski, seconded by Mr. Mikolajczyk, the Board unanimously approved and accepted the 2017 Annual Plant Inspection Report as presented.

EXECUTIVE DIRECTOR'S REPORT

The Executive Director presented to the Board his monthly report (see attached report). No questions of the Executive Report.

BUSINESS AGENDA (continued)

Adoption for Blue Apron Consent Order

Blue Apron will be issued an Administrative Consent Order to install pretreatment equipment in order to address continued pH violations of their wastewater discharge permit #051 with the Authority. Blue Apron has agreed to sign the Consent Order on October 31, 2017. The Consent Order had been placed for a 30-day public comment period. No comments were received. Therefore, the Executive Director and Staff are recommending that the Consent Order for Blue Apron be adopted by the Board.

MOTION: Upon motion of Mr. Atkins, seconded by Mr. Sadowski, the Board unanimously approved Resolution to Adopt Blue Apron Consent Order for continuous pH limit violations. (Resolution #53-17 attached)

Mr. Holley arrived at 12:22 PM and became a voting member at this time.

Authorization of David G. Brown II the Authority's Regulatory Representative

The New Jersey Department of Environmental Protection (NJDEP) has issued to the LRSA a New Jersey Pollutant Discharge Elimination System/Discharge to Surface Water Permit NJPDES/DSW dated June 8, 2015 under permit number NJ0024953. NJDEP has issued to LRSA a Residual NJPDES General Permit dated January 1, 2017 under permit number NJG198218. Whereas, said permits, permit applications, permit reports and all other regulatory compliance obligations including but not limited to financial matter are required to be signed by a duly authorized representative of the LRSA. Therefore, effective January 1, 2018, David G. Brown II, the Executive Director is hereby authorized as the representative of the Linden Roselle Sewerage Authority having the responsibility for the overall operation of the Authority Facility.

MOTION: Upon motion of Mr. Holley, seconded by Mr. Sadowski, the Board unanimously approved Resolution authorizing David G. Brown II, the Executive Director of the Linden Roselle Sewerage Authority having the responsibility for the overall operation of the Authority Facility effective January 1, 2018. (Resolution #54-17 attached)

BIDS AND PURCHASES

Awarding a Contract Amendment No. 1 to CDM Smith for Construction Supervision of Main St. Pumping Station Project

At the May Board Meeting CDM Smith was awarded a contract to provide construction oversight services for the Main St. Pumping Station Project for an amount not to exceed \$92,800. The scope of work that was developed for the Project estimated the time for the Resident Engineer's services to be approximately 500 hours, however the Authority granted a 30 day extension of time to the General Contractor Coppola Services, as a result of various change orders. Therefore, an additional 120 hours are warranted for the Resident Engineer's services in order to perform construction oversight and inspection of the General Contractor's work from mid-December 2017 to Project Completion and Final Close-out. The Executive Director is recommending a contract amendment in the amount of \$16,000 for the additional Engineering and O&M services required during the extended period, resulting in a total not to exceed contract amount of \$108,800. In addition, this expenditure should be allowed under the FEMA Grant, which is funding the Project.

MOTION: Upon motion of Mr. Mikolajczyk, seconded by Mr. Sadowski, the Board unanimously approved Resolution awarding a Contract Amendment No.1 to CDM Smith for Construction Supervision Services of Main St. Pumping Station in the amount of \$16,000, resulting in a total not to exceed contract amount of \$108,800. (Resolution #55-17 attached)

ENGINEERS REPORT

There were no questions of the engineer.

PUBLIC COMMENT

There were no public in attendance.

BILLS AND CLAIMS

Certification and recommendation received from the Executive Director, Purchasing/Contract Manager, and Financial Manager.

Operating Fund

MOTION: Upon motion of Mr. Sadowski, seconded by Mr. Ruiz, the Board unanimously approved payment of the Operating Bills in the amount of \$353,065.26 (Resolution attached).

Renewal and Replacement Fund

MOTION: Upon motion of Mr. Sadowski, seconded by Mr. Ruiz the Board unanimously approved payment of the Renewal and Replacement Bills in the amount of \$233,485.00 (Resolution attached).

Tom Laustsen left the meeting due to Executive Session.

EXECUTIVE SESSION

MOTION: Upon motion of Mr. Mikolajczyk, seconded by Mr. Sadowski the Board unanimously approved the Resolution to hold an Executive Session to discuss "Personnel Matters" and any other matters as may come before the Members. (At 12:28 P.M., Resolution #21E-17 attached).

MOTION: Upon motion of Mr. Holley, seconded by Mr. Sadowski, the Executive Session was closed 1:01 P.M. and the regular business meeting resumed.

Tom Laustsen joined the meeting.

The following actions has to be taken by Motion and/or Resolution:

MOTION: Upon motion of Mr. Sadowski, seconded by Mr. Mikolajczyk, the Board unanimously approved an amended Table of Organization due to last month's approval of eliminating the bookkeeper position and consolidated the duties to the Purchasing and Financial Manager.

MOTION: Upon motion of Mr. Sadowski, seconded by Mr. Mikolajczyk, the Board unanimously approved modified job descriptions for both the Purchasing and Financial Managers. Furthermore, changing the chain of command the job description of the Environmental Compliance Manager needed to be modified. Also, due to changes in the requirement for the Operator's position the job description for Operators needed to be modified as follows, "Possession of a valid S-1 NJ Wastewater Operators License is preferred", but not required anymore.

MOTION: Upon motion of Mr. Sadowski, seconded by Mr. Vircik, the Board approved to amend the hiring policy (page 2) requiring now to attend schooling and obtain the S-1 license within (24 months) two years of being hired as specified in an Employment Agreement.

Recorded Vote: Mr. Vircik – Yes, Mr. Sadowski – Yes,
Mr. Holley – No, Mr. Mikolajczyk – No,

Attorney stated that based on the current policy and the above dead lock there is no change in the policy "stays as is". Hiring policy states that "All entry-level positions shall be required to attend and pass the appropriate schooling, which shall be made a condition of employment. In addition obtain an S-1 New Jersey Wastewater Operators License".

Amended Hiring Policy includes an "Employment Agreement", which states that within (24 months) two years of being hired Operator must obtain S-1 License or automatic dismissal.

MOTION: Upon motion of Mr. Sadowski, seconded by Mr. Mikolajczyk, the Board approved recommendation of the Executive Director, Operations Manager and Authority's Labor Attorney to terminate Brian Bullock's employment from the Authority immediately.

Recorded Vote: Mr. Vircik – Yes; Mr. Sadowski – Yes;
Mr. Mikolajczyk – Yes; Mr. Holley – Abstain

MOTION: Upon motion of Mr. Sadowski, seconded by Mr. Mikolajczyk, the Board unanimously approved recommendation coming from New Jersey Manufacturers Worker's Compensation Attorney as well as Authority's Attorney to settle WC case for the former employee of the Authority.

Recorded Vote: Mr. Vircik – Yes; Mr. Sadowski – Yes;
Mr. Mikolajczyk – Yes; Mr. Holley – Yes;

Mr. Holley welcomed new member David G. Brown as the new Executive Director to the Authority.

Resolution Acknowledging Retirement of the Executive Director

Chairman read and presented Resolution acknowledging retirement to the Executive Director, Gary G. Fare, after 30 years of service from the Authority on December 31, 2017.

MOTION: Upon motion of Mr. Holley, seconded by Mr. Mikolajczyk, the Board unanimously approved Resolution acknowledging retirement of the Executive Director, Gary G. Fare, after 30 years of service to the Authority on December 31, 2017. (Resolution #56-17 attached)

Mr. Fare thanked the Board for all the years working at the Authority.

Mr. Holley commended for keeping up the standards and professionalism.

Mr. Holley concluded by saying that it was privilege and honor to serve you and knowing you.

ADJOURNMENT

MOTION: Upon motion of Mr. Mikolajczyk, seconded by Mr. Sadowski, the meeting was adjourned at 1:27 P.M. and it was ordered that the monthly Board Meeting of the LRSA be held on Wednesday, **January 24, 2018 at 12:00 P.M.** in the office of the Authority.